G. R. S. 58]

Previous references.

File No. 228—15

1915.
(Inungai)

Serial Nos. 1—4

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—4

Part B for June 16.

SUBJECT.

Archakship of Sri Venkataramana Swami temple at Konakunte in the Chintamani DK

To, Dy. Commr. Kolar. No. 2647/D/13-6-16

Forwards him a Copy of G. O directing that they see no sufficient reason to Reconsider the orders already passed in this case

W D 1351—GPB—20,000—13-12-18

N. R. Appadurai
Sec. VII. Dt. 5-7-16

G R S. 111 1915.

GENERAL AND REVENUE SECRETARIAT.

(Inwards)

NOTES.

File No. 228-15

FILE HEADING.

Archakship of Sri Venkataramana Swami Temple at Konakuntla in the Chintamani Taluk.

From

Archak Rangappa of Konakuntla Thro. his Advocate

~~No~~ Petition Dated 30-10-1915 Received

Diary No. 756	Enclos. –	Spare Copies. –	Serial No 1

BRIEF ABSTRACT OF LETTER.

Prays for a re-consideration of the order of Govt on the subject, and for an ad-interim order to stay execution of the decision now sought to be reviewed pending disposal of this petition and also that the records in the case may be called for and that he may be given the benefit of a hearing.

NOTES AND ORDERS.

1 Inwd. Files nos. 6-11 and 306-13 are herewith submitted. The office-note in the collections explains the facts of the case clearly.

NOTES—First Sheet.

GPB - 20 000—8-8-11

Serial No.

2) Rangappa appealed to Govt against the Dy. Commissioner's order regarding the Archakship of the above Temple. On a perusal of the records connected with the case and after hearing Rangappa and his opponent, the 1st member declined to interfere with the Dy Commrs. order, and his order was conveyed in Memo No 444 Dy 9th August 1913

3) Rangappa presented a review-memorial to H H the Maharaja for a re-consideration of the above order, and after hearing the petr and his Advocate the 1st member directed that the review-memorial might be rejected.

Rangappa has again presented a review petition to the 1st member. The member's order thereon is as follows:—

"Please submit with records shortly".

Submitted. Call for the records from the Dy Commr. 15-11-1915

NOTE—Contn. sheet.

GPB—20,000—30 6-15

R. S. 12]

General and Revenue Secretariat. File No. 278 of 191 5.

Serial No.	
	6) Submitted with a Dft AV (95) Bill 16.11.1915 Vijiaraghavan 7) affd hm 26.11.15
2	No. 1312 dt 30-11-15, Jo-Sec. of Kolar, calling for vernacular records connected with this case
	16/12/15 Mr. B. Srinivasa Iyer heard for Petr - He wants an adjournment order to stay execution. The case has been decided twice. I do not think it necessary to stay execution. After the records are received, I shall examine the allegations of the present petn & pass orders. 16/12/15

NOTE—Contn. sheet.

GPB—20,000—30-6-15

1091

F. R. S. 12]

General and Revenue Secretariat.

File No. 228 of 1915

Serial No. 3

From, The Dy. Comm^r, Kolar Dist^t,
Letter no. 259 Dy 24-12-1915.
Submits the entire Vernacular records on the Subject.
Submd. with reference to for 1st member's orders in para 10 of the notes.
NC957 31.12.1915.
31/12/15

Subd 1st member
Sea
15.1.16

The decision of for^r ~~appeal~~ is based on a Consideration of two petitions presented about the affairs of the Temple in 1868. The evidence Concerning enjoyment of the Office was not considered of much value. The Parties however may both be heard if they appear after notice

17/3/16

Ret. with the enclosures

101

NOTE—Contn. sheet.

GPB—20,000—30-6-16

(5

R. S. 12]

General and Revenue Secretariat.

File No. 228 of 1915

Serial No.

Returned with D.O. notice, dated the 25th May 1916

M (94)
22.4.1916

14/4/16

Sec
4/17/16

NOTE—Contn. sheet.

GPB—20,000—30-6-15

J. 228—191

1—6—16

Mr B. Sr Iyengar for Petr
Mr N. N. Iyengar for Advt

Order.

The grounds urged on behalf of the Petr are not, in the opinion of Govt officials to ~~justify interference~~ warrant a recommendation of the order already passed, ~~but~~ ~~having regard to all the circumstances~~ ~~the circumstances~~ circumstances that the Petr's father Vallabhadas was allowed to join in the proceedings on two occasions in which he was described as Archak is a weighty point against the Petr, the effect of which can be counteracted by such evidence as to religious usage as has been adduced on the Petr's side. The petn is therefore rejected.

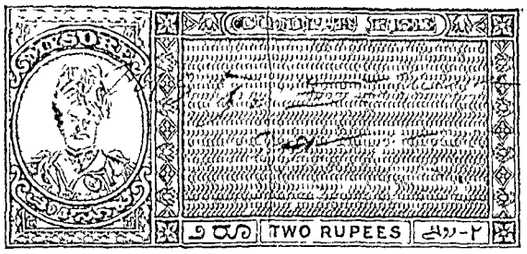
R.S. 12]

General and Revenue Secretariat. Mysz File No. 228 of 191 5

Serial No.	
	Submitted with a Dft. order. (Mysz NV(94) 2.6.16. not sent due to the parties concerned)
872 5-6-16	Dw Member. 7/6/16 am. Leg 5.6.16
4	No: 2847 dt 13.6.16, Dy Collr of Kolar, forwarding a copy of the G.O, directing that they see no sufficient reason to recommend the orders already passed in his case.

NOTE—Contn. sheet.

GPB—25,000—30-4 15.



DIARY No. 786

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Muzrai Department, B A N G A L O R E.

Please submit with Record &c early -
4/11/15

The humble petition of Appellant Rangappa, Archik of Sree Venkateswara Swamy of Konakuntloo, Chinatamani Taluk, Kolar District.

The appellant being very seriously aggrieved by the Government Order No. 805/Muz.306-13-6 passed on 13-9-1915, most humbly begs to approach the Government once again with a full hope that the whole case would be reconsidered in the light of the following facts and circumstances and in the interests of the sacred justice.

I The essential point urged in para 3 of his Review Petition dated 20-1-15 escaped, to appellant's dire misfortune, the attention of the Government, and this over-sight has occasioned a grievous failure of justice resulting in a life long misery to the appellant.

II The facts are briefly as follows:- Naranappa and Ramappa were the 2 original Hukdar Archiks of the Temple. Naranappa had a son Chennappa. Ramappa had no sons but had 2 daughters, one married to Gopaliah - (Appellant's father) and the other to the Respondent Venkatapathiah. In 1869 Ramappa owing to his old age gifted a half of his half share of the Pooja i.e One Eighth Share to each of his sons-in-law, but this gift

did not take effect as the respondent did not care for it and lived in his own village performing the Pooja of Sree Anjaneyaswamy at Harobande, Chikkaballapur Taluk. After the death of Naranappa and Ramappa, Chennappa son of Naranappa and Lakshmakka widow of Ramapoa were performing the pooja by turns till they were dismissed in 1874 owing to the theft of the idols in the temple. As there were no other heirs entitled to the office Gopaliah was recommended as fit for the place and the Deputy Commissioner appointed him as the sole archik imposing the condition that he should furnish security for the jewels cloths and vessels that he had to deal with, and he so furnished the security when he took charge of the Temple (Vide Deputy Commissioner's order No.407 dated 8-11-1874) This exclusive appointment went on undisputed for 30 years. These facts the appellant believes can be varified from the records.

III The respondent had evidently no right as he did not assert any for twice and half of the statutory period. The only petition filed for the first time was in 1905 to the Deputy Commissioner claiming to be appointed to worship by turns and this petition was referred to the Amildar for disposal. The Amildar after due enquiry found that his claim was unfounded and rejected his petition. (Vide order dated 28-7-1905) This order became final as no appeal was preferred.

IV Respondent, after a lull of 6 years, somehow managed to get an order dated 22-4-1911 from the Deputy Commissioner in his favour which was appealed from to the Government by the appellant and forms still the subject matter of this petition. The 2 petitions of 21-1-1888 relied on in the Government - order, herein sought to be reviewed, far from implying any admission of respondent's right, only go to show that

both the appellant's father Gopaliah and the respondent jointly signed the petitions obviously to make a common cause to attack Shanbhough Narasimgappa regarding the Temple property. Beyond this there is absolutely no evidence on record to show that the respondent (1) ever lived in the village (2) or ever owned a house or other property in - Bodampalli, where the appellant's ancesters and where the temple and its Inams are situated or (3) that he ever took a formal charge of the temple to worship (4) or that he ever worshipped during the long period of 40 years (from 1874 up to date) (5) or that he ever enjoyed any of the Government Inam Lands attached to the temple which are in the name of the Temple Deity and not transferrable at all to any one except the worshipper (6) or that he ever paid any Jodi or quit rent for the Inam Lands (7) or that he ever furnished security and took charge of the Temple property as enjoined in the original order of 1874 appointing Gopaliah.

V In the face of these stern and hard facts the Deputy Commissioner had the good-will and magnanimity to grant summarily the right of worship to the respondent - most cruelly depriving the bare sustenance which the appellant and his family enjoyed uninterruptedly for the last 40 years - an injustice and cruelty, the enormity of which may safely be left to the good sense of the Government to judge.

VI Above all these facts, who is the respondent that is contesting now? Not Venkatapathiah is too old and never appeared on the scene, but his son Srinivasiah, who finding his own place, Harobande, too hot by his own - misbeheavour wants to find a pasture new, and he pounced upon the poor appellant as his prey in 1905 after a -

lapse of ~~15~~ years as the endorsement given to him by the Amildar on 28-7-1905 (referred to in para 3 above) would clearly show. In fact at the hearing of this appeal on 9-2-15 the respondent clearly admitted, when pertinently questioned by this Hon'ble Court, that he never performed the Pooja or enjoyed the Inams at any time since Gopaliah appointment in 1874. As soon as the order now sought to be reviewed reached him he has come down to Bodampalli - asking the authorities to enforce the Government order to take charge of the temple.

W H E R E F O R E the appellant most humbly prays that the Government may please ~~de~~ to prevent a positive injustice ~~in~~ (one) uphold the unjust order of the Dy. Comm^r,

(1) by reconsidering all the facts and circumstances above set forth,

(2) by issuing an ad interim order to stay execution of the decision now sought to be reviewed pending disposal of this petition, and

(3) to call for the records and grant him a hearing in the interests of devine justice equity and conscience. or refer the Respt to a civil suit. to establish his right.

(B) 23-5-0 ನಂ ಇ (ಅ) ೧೯ —

B. Narasinga Rao
Advocate

30/

G. R. S. 26]

File No. 228/15

Serial No. 2

Diary No. of letter replied to———

No 1312 Ea—1

General and Revenue Secretariat

( )

, *the* *191*

To

The Dy Commr,
Kolar Distt

Date of issue 30—11—915

Signed by Mr G Aravamudachar

Sir,

forward herewith the papers noted on the margin received from

I am directed to ~~state~~ ~~that~~ Rangappa, Archak of Sri Venkataramana Swami Temple at Konakuntla, Chintamani Taluk, ~~has~~ presented a ~~Revision application~~ praying for a re-consideration of the order of Govt relating to the Archakship of the Temple referred to,

No 805/MD 306-13-6 dt 13th Sept 15

over

SUBJECT

and to request that you
will be so good as to
forward at ~~a very~~ an early
date, the entire Vernacular
Records bearing on the
case. ~~which were returned~~
~~with the first Pro. No~~
805 ~~of~~ 13th September 1915.

By order

for Regr 26.11.15
Secretary

WSH

RC
25-11-15

List of enclosures,

Copied by

Examined by

GPB—25,000—8 8 11

DIARY p.. 1091
1915-1916
SECTION Mysore
" 228-15
" 3

From AV

VII

The Deputy Commissioner,

Kolar District.

To

The Secretary to the Govt. of
Mysore, Rev. Dept.,
Bangalore.

Dated 24th December 1915

Despatched

Received

General No. 2575
No.

Enclosure No. 67, 1 cover & 1 pcl.

Forwarding the records relating to the Archak. ship of Sri Venkataramanaswami temple at Konakuntla, Vaitamani Taluk

2 5 9

Deputy Commissioner's office
Kolar District
Dated Kolar, the 28th December 1915.

From

P. F. B O W R I N G, Esquire, J.P.,
Deputy Commissioner, Kolar District.

To

V. R. Thyagaraja Iyer, Esquire, M.A.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department, Muzrai Branch,
B a n g a l o r e.

Sir,

Adverting to your letter No.1312/Muz.226-15-2 dated 30th November 1915, I have the honor to forward herewith the entire vernacular records relating to the archakship of Sri Venkataramanaswami temple at Konakuntlu in the Chintamani Taluk.

2. The review petition of Rangappa received with the above is also enclosed.

I have the honor to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Kolar District.

F No. 928—1915

Before the Government of His Highness the Maharaja of Mysore.

Revn petition No. 2 of 1916.

Petr
~~Appellant.~~

Ramsappa
Son of Gopaliah

Or petr
Respondent.

Srinivasachar
Son of Venkatappaiah

Subject.

Application for a revision of Govt order no. 805—Muz. 2. 306-13-6 Dy 13th September 1915 Rejecting The review petition of—Ramsappa praying that he may be ~~appointed~~ declared to be the sole ~~hakdar~~ Archak of Sri Venkataramana Swami Temple at in the Chintamani Taluk

---

Order.

The grounds urged—

GPB—1,000—8 S 11

so in the opinion of Govt., sufficient to warrant a reconsideration of the orders already passed. The circumstance that the opponents' father Venkatapathiah was allowed to join on two occasions in the presentation of petitions in which he was described as archak is a very strong point against the petitioner, the effect of which cannot be nullified by such evidence as to actual enjoyment, as the petitioner has been able to adduce. The petition is accordingly dismissed.

E & V.

Memo no. 2847 dt 13-6-1916 Ento. files
mis-228-15-4

Copy of the above is forwarded to the Deputy Commissioner.

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Kolar Distt, returning the entire Vernacular records received with his letter no. 259 dated 24th December 1915.

By order,

for Revl Secretary.

The order may be printed.

DST

AV 2.6.16. 7/6/16

GPR—20 333—16-2-14

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

No. 2847—Muz. 228-15-4, dated 13th June 1916

Archakship.

Passes orders on the — of Sri Venkataramana Swami temple at Konakunthlu in the Chintamani Taluk.

W D 3137—GPB—26-6 16—250

G. O. No. 2847—Muz. 228-15-4, dated 13th June 1916.

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Revision petition No. 2 of 1916.

Petitioner.		*Counter-petitioner Respondent.*
Rangappa, son of Gopaliah.	*vs.*	Srinivasachar, son of Venkatapatiah.

Subject.

Application for a revision of Government Order No. 805—Muz. F. 306-13-6, dated 13th September 1915, rejecting the review petition of Rangappa praying that he may be declared to be the sole hereditary Arachak of Sri Venkataramana Swami temple at Konakunthlu in the Chintamani Taluk.

Order

The grounds urged on behalf of the petitioner are not, in the opinion of Government, sufficient to warrant a reconsideration of the orders already passed. The circumstance that the opponent's father Venkatapatiah was allowed to join on two occasions in the presentation of petitions in which he was described as archak is a very strong point against the petitioner, the effect of which cannot be nullified by such evidence as to actual enjoyment, as the petitioner has been able to adduce. The petition is accordingly dismissed.

Memo No. 2847—Muz. 228-15-4, dated 13th June 1916.

Copy of the above is forwarded to the Deputy Commissioner, Kolar District, returning the entire Vernacular records received with his letter No. 259, dated 24th December 1915.

By Order,

Srinivasachar

for *Secy. to Govt., Rev. Dept.*

Exd.—C R.